



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

February 23, 2022

Via ECF

Hon. Andrew E. Krause
United States Magistrate Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Doherty v. Bice, et al.*, 18 Civ. 10898 (NSR)(AEK)

Dear Judge Krause:

This Office represents defendants Patricia Bice, Qui Qui Balascio, and Jared Stammer¹ (collectively, “Defendants”) in the above-captioned action. I write on behalf of the parties to respectfully request an adjournment of the settlement conference currently scheduled for February 28, 2022, and to extend the deadline to complete Plaintiff’s deposition from March 11, 2022 to April 29, 2022.

The parties are scheduled to appear before Your Honor for a settlement conference on February 28, 2022. *See* Minute Entry dated January 7, 2022. Defendants received Plaintiff’s settlement demand on February 21, 2022. Given that the process to obtain authority to settle a case is time-consuming and requires numerous approvals, we will not be able to respond to Plaintiff’s demand in advance of the settlement conference. Accordingly, the parties respectfully request that the Court adjourn the settlement conference scheduled for February 28, 2022. The parties are available to re-schedule the settlement conference from 2:00-5:00 p.m. on March 30, 2022 or March 31, 2022.

The parties also respectfully request to extend the deadline to complete Plaintiff’s deposition from March 11, 2022 to April 29, 2022. The parties had tentatively agreed to hold Plaintiff’s deposition on March 1, 2022, in advance of the current deadline of March 11, 2022. *See* Civil Case Discovery Plan and Scheduling Order (Dkt. No. 70). However, Plaintiff’s counsel has requested that Plaintiff’s deposition be stayed until after the parties appear for a settlement conference to avoid subjecting Plaintiff to a deposition if possible. As such, the parties respectfully

¹ Defendants Stammer and Balascio are no longer employed by SUNY and therefore they are not proper defendants. *See* Fed. R. Civ. P. 25(d).

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request an extension of the deadline to complete Plaintiff's deposition from March 11, 2022 until April 29, 2022.

This is the parties' first request to adjourn the settlement conference scheduled for February 28, 2022 and to extend the deadline to complete Plaintiff's deposition following the Court's ruling regarding Plaintiff's psychotherapy records. *See* Opinion and Order (ECF No. 64).

Respectfully submitted,

/s/ Shaina Schwartz

Shaina L. Schwartz

Assistant Attorney General

212-416-8560

shaina.schwartz@ag.ny.gov

cc: E. Chris Murray, Esq. (*via* ECF)